

1635 #

Docket No.: NHL-NP-37  
Serial No.: 10/057,311

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

EXAMINER: Jane Zara  
ART UNIT: 1635  
SERIAL NO.: 10/057,311  
FILING DATE: January 24, 2002  
INVENTORS: Claas JUNGHANS, Burghardt WITTIG, Sven KÖNIG  
MEREDIZ, and Matthias SCHROFF  
TITLE: COVALENTLY CLOSED NUCLEIC ACID MOLECULES  
FOR IMMUNOSTIMULATION

DEC 11 2003

TECH CENTER 1600/2900

Greensburg, Pennsylvania 15601

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 1, 2003

**TRANSMITTAL LETTER**

Sir:

Please find enclosed herewith the following document relating to the above-cited case:

- 1) an Election and Second Preliminary Amendment having 12 pages;
- 2) a duplicate copy of an Authorization to Withdraw from Deposit Account; and
- 3) a stamped, self-addressed postcard, return of which is requested to acknowledge receipt of the enclosed document.

Since the actual due date for this Amendment fell on Sunday, November 30, 2003, it is submitted that the filing of this Amendment, today, Monday, December 1, 2003, is timely in accordance with MPEP §710.05.

NHL:slm

NP-37 23/NP032sd

TRANSMITTAL LETTER  
Page 2

It is believed that no additional fee is required to file the enclosed document.

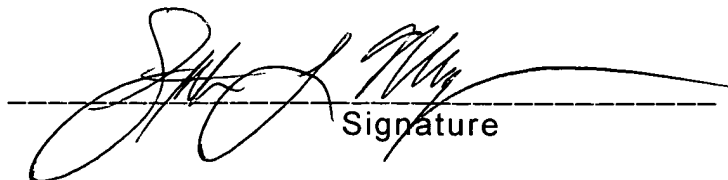
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **December 1, 2003.**

Respectfully submitted,



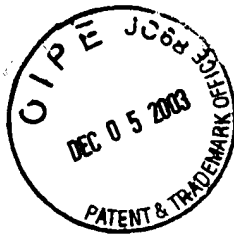
Nils H. Ljungman, Esq.  
Attorney for Applicant[s]  
Reg. No. 25,997  
Name of person signing certification  
Nils H. Ljungman & Associates  
P.O. Box 130  
Greensburg, PA 15601-0130  
Telephone: (724) 836-2305  
Facsimile: (724) 836-2313

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **December 1, 2003.**

  
Signature

Stephen L. Meyer  
Name of person mailing paper or fee

December 1, 2003  
Date



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December 1, 2003

**PROVISIONAL ELECTION AND SECOND PRELIMINARY**

**AMENDMENT**

Sir:

In response to the Examiner's Action dated October 30, 2003, identified as Paper Number 9, which was issued against the above-identified patent application, please enter the following provisional election and second preliminary amendment.

12/09/2003 EFLORES 00000173 121758 10057311

01 FC:1201 86.00 DA